

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

SAMUEL LAMONT HARRIS, )  
                          )  
Petitioner,            )  
                          )  
v.                     )       1:18-cr-375-1  
                          )  
                          )       1:21-cv-249  
UNITED STATES OF AMERICA,      )  
                          )  
Respondent.            )

**ORDER**

On August 24, 2023, the United States Magistrate Judge's Recommendation ("Recommendation") was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. (Docs. 45, 46.) No objections were filed within the time limits prescribed by Section 636.

The court need not make a de novo review and the Magistrate Judge's Recommendation is hereby adopted.

**IT IS THEREFORE ORDERED** that the Magistrate Judge's Recommendation, (Doc. 45), is **ADOPTED**. **IT IS FURTHER ORDERED** that the Government's Response, (Doc. 43), is terminated as a motion and Petitioner's Motion to Dismiss Motion to Vacate, Set Aside, or Correct Sentence, (Doc. 38), is **DENIED**. The court further finds there is no substantial showing of the denial of a constitutional right affecting the conviction nor a debatable

procedural ruling, therefore a certificate of appealability is not issued.

A Judgment dismissing this action will be entered contemporaneously with this Order.

This the 16th day of October, 2023.

William L. Osten, Jr.  
United States District Judge